

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 4/9/08

**WEBB'S CANDIES, INC.,**  
individually and on behalf of a class of all those  
similarly situated,

Case No.: 08 CV 00382 (PKC)

Plaintiff,

vs.

**CADBURY ADAMS CANADA, INC.,**  
**CADBURY SCHWEPPES PLC, HERSHEY**  
**CANADA INC., THE HERSHEY COMPANY,**  
**MARS CANADA INC., MARS,**  
**INCORPORATED, MARS NORTH AMERICA,**  
**MARS SNACKFOODS U.S.A. LLC, NESTLE**  
**CANADA INC., NESTLE S.A., NESTLE USA,**  
**INC., AND ITWAL LTD.**

ECF CASE

STIPULATION  
AND [PROPOSED] ORDER

Defendants.

**NMJ CONSULTANT GROUP, INC.,**  
Individually and on behalf of a class of all those  
similarly situated,

Case No.: 08 CV 00910 (PKC)

Plaintiff,

vs.

**CADBURY ADAMS CANADA, INC.,**  
**CADBURY SCHWEPPES PLC, HERSHEY**  
**CANADA INC., THE HERSHEY COMPANY,**  
**MARS CANADA INC., MARS,**  
**INCORPORATED, MARS NORTH AMERICA,**  
**MARS SNACKFOODS U.S. LLC, NESTLE**  
**CANADA INC., NESTLE S.A., NESTLE USA,**  
**Inc., and ITWAL, LTD.**

ECF CASE

STIPULATION  
AND [PROPOSED] ORDER

Defendants.

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**THE CANDY JAR, INC.**

**Individually and on behalf of a class of all those  
similarly situated,**

Case No.: 08 CV 01548 (PKC)

Plaintiff,

vs.

**NESTLE SUISSE S.A., NESTLE U.S.A., INC.,  
NESTLE CANADA INC., MARS, INC., MARS  
NORTH AMERICA, MARS SNACKFOODS  
U.S.A. LLC, MARS CANADA INC., CADBURY  
SCHWEPPES PLC, CADBURY ADAMS  
CANADA, INC., THE HERSHEY COMPANY,  
HERSHEY CANADA INC., and ITWAL, LTD.**

ECF CASE

STIPULATION  
AND [PROPOSED] ORDER

Defendants.

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**VME DISTRIBUTORS, INC.,**

**Individually and on behalf of a class of all those  
similarly situated,**

Case No.: 08 CV 01570 (PKC)

Plaintiff,

vs.

**CADBURY ADAMS CANADA, INC.,  
CADBURY SCHWEPPES PLC, HERSHEY  
CANADA INC., THE HERSHEY COMPANY,  
MARS CANADA INC., MARS,  
INCORPORATED, MARS NORTH AMERICA,  
MARS SNACKFOODS U.S.A. LLC, NESTLE  
CANADA INC., NESTLE S.A., NESTLE USA,  
INC., and ITWAL, LTD.**

ECF CASE

STIPULATION  
AND [PROPOSED] ORDER

Defendants.

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**CARD & PARTY MART II LTD.,**  
Individually and on behalf of a class of all those  
similarly situated,

Case No.: 08 CV 01960 (PKC)

Plaintiff,

vs.

**CADBURY ADAMS CANADA, INC.,**  
**CADBURY SCHWEPPES PLC, HERSHEY**  
**CANADA INC., THE HERSHEY COMPANY,**  
**MARS CANADA INC., MARS,**  
**INCORPORATED, MARS NORTH AMERICA,**  
**MARS SNACKFOODS U.S.A. LLC, NESTLE**  
**CANADA INC., NESTLE S.A., NESTLE USA,**  
**INC., AND ITWAL LTD.**

ECF CASE

STIPULATION  
AND [PROPOSED] ORDER

Defendants.

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**CANTEEN VENDING COMPANY,**  
Individually and on behalf of a class of all those  
similarly situated,

Case No.: 08 CV 01205 (PKC)

Plaintiff,

vs.

**CADBURY ADAMS CANADA, INC.,**  
**CADBURY SCHWEPPES PLC, CADBURY**  
**ADAMS USA LLC, HERSHEY CANADA**  
**INC., THE HERSHEY COMPANY, MARS**  
**CANADA INC., MARS, INC., MARS NORTH**  
**AMERICA, MARS SNACKFOOD INC.,**  
**NESTLE CANADA INC., NESTLE S.A.,**  
**and NESTLE USA,**

ECF CASE

STIPULATION  
AND [PROPOSED] ORDER

Defendants.

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**FOOD LION, LLC, HANNAFORD BROS. CO.,  
and KASH N' KARRY FOOD STORES, INC.  
Individually and on behalf of a class of all those  
similarly situated,**

Case No.: 08 CV 03045 (PKC)

Plaintiff,

vs.

**CADBURY ADAMS CANADA, INC.,  
CADBURY SCHWEPPES PLC., CADBURY  
ADAMS USA LLC, HERSHEY CANADA, INC.,  
THE HERSHEY COMPANY, MARS NORTH  
AMERICA, MARS SNACKFOOD U.S.,  
NESTLE CANADA, INC., NESTLE S.A., and  
NESTLE USA**

ECF CASE

STIPULATION  
AND [PROPOSED] ORDER

Defendants.

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WHEREAS Plaintiffs filed Complaints in the above-captioned cases;

WHEREAS more than sixty complaints have been filed to date in federal district courts throughout the United States by plaintiffs purporting to bring actions on behalf of direct and indirect purchasers alleging antitrust violations by manufacturers, distributors, and sellers of Chocolate (collectively "the Chocolate Cases");

WHEREAS, on April 7, 2008, the Judicial Panel on Multidistrict Litigation ordered the transfer of the Chocolate Cases, including the seven above-captioned cases, for coordinated and consolidated pretrial proceedings pursuant to 28 U.S.C. Section 1407 to the Middle District of Pennsylvania [See Transfer Order attached hereto as Exhibit 1];

WHEREAS the Court issued Orders in all of the above-captioned actions to hold Initial Pretrial Conferences on April 18, 2008 (the "Scheduling Orders") [*Webb's Candies* Docket No. 3; *NMJ Consultant* Docket No. 3; *VME Distributor* Docket No. 3; *Card & Party Mart* Docket No. 3; *Canteen Vending* Docket No. 5; *The Candy Jar* Docket No. 3; *Food Lion* Docket No. 7];

WHEREAS the parties seek to adjourn the Initial Pretrial Conferences to avoid duplicative litigation;

WHEREAS no prior extensions or postponements of the Initial Pretrial Conferences have been sought or granted;

NOW, THEREFORE, IT IS HEREBY STIPULATED by and among the undersigned counsel for all parties herein, subject to approval of the Court, as follows:

The April 18, 2008 Initial Pretrial Conferences set forth in the Court's Scheduling Orders are adjourned.

Dated: April 8, 2008

By: Robert G. Eisler (MP)  
Robert G. Eisler

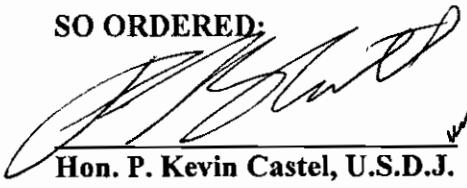
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*Attorneys for Plaintiffs Webb's Candies, Inc., NMJ Consultant Group, Inc. VME Distributors, Inc., and Card & Party Mart II, Ltd.*

SO ORDERED:

  
Hon. P. Kevin Castel, U.S.D.J.

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